IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE.

WRIT PETITION NO. 3456 OF 2006.

Kantaram L. Kadam ... Petitioner.
V/s.
Mrs.Durga Kantaram Kadam & anr. .. Respondents.

Shri Suresh Sabrad for the petitioner.

Shri R.V. Bansode for respondent No.1

Ms. Deepa S. Matwankar for Shri J.N. Pawar for
respondent No.2.

CORAM : V.C.DAGA, J.

DATED : 11.9..2006.

P.C. :

. Heard learned Counsel for parties.

Perused petition.

2. This petition is directed against the order 28.3.2006 passed by the trial Court below Ex.141, rejecting the application for amendment of the petition moved by the petitioner, on the ground that it was filed much after filing of Hindu Marriage petition.

3. Having seen the order, it is not necessary to interfere with the said order at this stage. Petition is liable to be dismissed. However, it is made clear that in the event, petitioner is required to carry appeal to the higher forum, it would be open for the petitioner to challenge this impugned

order dated 28.3.2006 on its own merits. All contentions on merits in this behalf are kept open.

. Petition is dismissed in limine with liberty reserved in favour of the petitioner in terms of this order. No order as to costs.

(V.C.DAGA,J.)